Resolution Declaring the Election of Measure J

RESOLUTION NO. 2247

RESOLUTION OF THE BOARD OF EDUCATION OF THE SAN JUAN UNIFIED SCHOOL DISTRICT ORDERING A SCHOOL BOND ELECTION, ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER, AND REQUESTING CONSOLIDATION WITH OTHER ELECTIONS

WHEREAS, the Board of Education (the Board) of the San Juan Unified School District (the District) is generally authorized to order elections within the District and to designate the specifications thereof, pursuant to Education Code Sections 5304 and 5322; and

WHEREAS, the Board is specifically authorized to order elections, pursuant to Education Code Sections 15100 et seq., for the purpose of submitting to the electors the question of whether the bonds of the District (Bonds) shall be issued and sold for specified purposes; and

WHEREAS, the Board deems it necessary and advisable to submit a bond proposition to the electors that, if approved by the requisite amount of electors voting on the measure, would permit the District to issue the Bonds; and

WHEREAS, it is desirable that the election to determine whether the Bonds shall be issued and sold be consolidated with such other election or elections as may be held on the same day in the same territory or in territory that is in part the same; and

WHEREAS, the Sacramento County Registrar of Voters has advised that the deadline for submitting the tax rate statement to the County Registrar is July 16, 2002.

NOW, THEREFORE, the Board of Education of the San Juan Unified School District does hereby resolve, determine, and order as follows:

1. **Election Order; Ballot Proposition**

   1. Pursuant to Education Code Sections 5304, 5322 and 15100 et seq., an election shall be held within the boundaries of the San Juan Unified School District on November 5, 2002, submitting to the voters of the District the question of whether Bonds of the District, in the amount of $350,000,000 shall be issued and sold for the purposes described below, including the acquisition of real property and the construction and renovation of school facilities, as specifically set forth below and in Exhibit A attached hereto. The Bonds
proposed to be issued and sold shall bear interest at a rate not exceeding the statutory limit per annum, and the number of years any series of the Bonds are to run shall not exceed twenty five (25) years from the date of the Bonds or the date of any series thereof in the event the bonds are issued pursuant to Education Code Section 15144, and shall not exceed forty (40) years from the date of the Bonds or the date of any series thereof in the event the Bonds are issued pursuant to Government Code Section 54400.

2. **Use of Bond Proceeds, Facilities Specifications and Audit Requirements**

1. **Use of Bond Proceeds**

Proceeds from the sale of the Bonds may be used only for the purposes specified in Article XIII A, section 1(b)(3) of the California Constitution.

2. **Specification of Facilities**

The specific school facilities projects to be funded are as described below. The Board hereby certifies that it evaluated safety, class size reduction, and information technology needs in developing the list.

3. **Performance Audit**

The Board shall conduct an annual, independent performance audit to ensure that the Bond funds have been expended only on the specific projects listed.

4. **Financial Audit**

The Board shall conduct an annual, independent financial audit of the proceeds from the sale of the Bonds until all of the proceeds have been expended for the school facilities projects.

5. **Specific Facilities to be Funded**

Bond proceeds shall be used for the following school facility and education service facility projects:

- Repair and replacement of deteriorated portable classrooms at various district school sites
- Modernize various district school sites
- Repair and upgrade safety alarms at various school sites
- Repair and renovate bathrooms at various school sites
• Implement parking lot and field renovations at various school sites to ensure their safety
• Repair and replace deteriorated roofs at various school sites
• Install handicapped accessibility improvements at various school sites
• Install technology upgrades at various school sites
• Repair and replace deteriorated heating and air conditioning systems at various school sites
• Repair and replace deteriorated furniture and equipment at various school sites
• Repair and replace deteriorated plumbing and sewer systems at various school sites
• Complete the construction of unfinished facilities at various school sites
• Construct and replace education service facilities within the District
• Implement deferred maintenance upgrades and renovations at various District school sites and education service sites
• The acquisition of real property, if required, to implement any of the above-described projects

3. **Government Code Accountability Requirements**

Pursuant to Government Code sections 53410 and 53411, the District hereby finds or directs that:

1. the purpose of the Bonds is to fund the specific facility needs as set forth in the full text of the measure;

2. the bond proceeds shall only be used on the specific projects authorized in the full text of the measure;

3. all proceeds of the Bonds shall be placed in a separate account; and

4. the Associate Superintendent, Business Services, of the District shall issue an annual report to the Board containing the amount of funds collected and expended as well as the status of the projects authorized in the full text of the measure.

4. **Community Oversight Committee**

It is the intent of the Board that a community oversight committee be appointed to ensure that the proceeds of the Bonds are spent only for the specific purposes and projects identified in this resolution. The membership requirements and procedures
for such committee shall be established by the Board in accordance with the requirements of law.

5. **Vote Required**

Pursuant to Section 15124 of the Education Code and Section 18 of Article XVI and Section 1 of Article IIIIA of the Constitution of the State of California, as amended by Proposition 39, the above proposition shall become effective only upon the affirmative vote of fifty-five percent or more of those voters voting on the measure.

6. **County Registrar of Voters to Call and Conduct Election**

Pursuant to Section 5303 of the Education Code, the Registrar of Voters of the County of Sacramento is hereby requested to take all steps to prepare for and hold the election within the boundaries of the District in accordance with law and these specifications.

7. **Consolidation with Other Elections**

Pursuant to Sections 5342 and 15121 of the Education Code and Part 3 (commencing with Section 10400) of Division 10 of the Elections Code, the County is requested to order consolidation of the school bond election with such other election or elections as may be held on the same day in the same territory or in a territory that is in part the same.

8. **Canvass of Returns**

The Board of Supervisors of Sacramento County is authorized to canvass the returns of the election pursuant to Section 10411 of the Elections Code.

9. **Services of Registrar of Voters**

Pursuant to Section 5303 of the Education Code and Section 10002 of the Elections Code, the Board of Supervisors of Sacramento County is requested to permit the Registrar of Voters of Sacramento County to render all services specified by Section 10418 of the Elections Code relating to the election, for which services the District agrees to reimburse the County, such services to include the publication of a Formal Notice of School Bond Election (as described herein) and the mailing of the sample ballot and tax rate statement (described in Section 9401 of the Elections Code) pursuant to the terms of Section 5363 of the Education Code and Section 12112 of the Elections Code.
10. **Formal Notice of Election**

The District Superintendent is hereby directed to prepare and execute a Formal Notice of School Bond Election for delivery to the Registrar of Voters of Sacramento County containing the information specified in Sections 5361 and 15120 of the Education Code (as modified under the authority of Government Code Section 53506.5), in substantially the form attached hereto as Exhibit A with such changes as may be required by the Office of the Sacramento County Counsel or the Districts bond counsel. The Registrar of Voters of Sacramento County is hereby requested to publish the Formal Notice of Election.

11. **Abbreviated Bond Measure and Full Text of the Measure**

The following are the abbreviated bond measure and the full text of the bond measure as set forth in the Notice of Election attached hereto as Exhibit A. The Registrar of Voters is hereby requested to:

1. print the following abbreviated statement on the ballot and designate the statement on the ballot by a letter printed on the left margin of the square containing the description of the measure as provided in Section 13116 of the Elections Code of the State of California:

   **MEASURE J:** To complete the repair/renovation in Carmichael, Orangevale, Citrus Heights, Arden-Arcade, Gold River, and Fair Oaks by building permanent classrooms to replace leaky, moldy, portable classrooms and by replacing failing plumbing, sewer and heating/air conditioning systems, shall the San Juan Unified School District issue $350,000,000 in bonds qualifying local schools for state matching funds, and appoint a citizens oversight committee and independent auditor to guarantee funds are spent only on school improvements?

   and

2. to publish the following full text of the measure in the ballot pamphlet materials as appropriate:

   Upon the passage of Measure J, the San Juan Unified School District shall be authorized to issue $350,000,000 at the lowest possible interest rate to fund the renovation of school facilities throughout the District, along with certain education service facilities utilized on a District-wide basis. Bond proceeds
shall be used for the following school facility and education service facility projects:

- Repair and replacement of deteriorated portable classrooms at various District school sites
- Modernize various District school sites
- Repair and upgrade safety alarms at various school sites
- Repair and renovate bathrooms at various school sites
- Implement parking lot and field renovations at various school sites to ensure their safety
- Repair and replace deteriorated roofs at various school sites
- Install handicapped accessibility improvements at various school sites
- Install technology upgrades at various school sites
- Repair and replace deteriorated heating and air conditioning systems at various school sites
- Repair and replace deteriorated furniture and equipment at various school sites
- Repair and replace deteriorated plumbing and sewer systems at various school sites
- Complete the construction of unfinished facilities at various school sites
- Construct and replace education service facilities within the District
- Implement deferred maintenance upgrades and renovations at various District school sites and education service sites
- The acquisition of real property, if required, to implement any of the above-described projects

Approval of the District's bond measure does not guarantee that the projects that are the subject of the measure will be funded beyond the local revenues generated by the bond measure. The District's proposed projects may assume the receipt of state funds, which could be subject to appropriation by the Legislature or approved at a statewide bond measure.

Additionally, the San Juan Unified School District shall establish a Citizen's Oversight Committee (the "Committee") and will appoint the members of the Committee to be made up of a minimum of seven members comprised of at least the following: one member shall be active in a business organization representing the business community located within the District, one member shall be active in a senior citizens' organization, one member shall be the parent or guardian of a child enrolled in the District, one member shall be both a parent or guardian of a child enrolled in the District and active in a parent-teacher organization. The District shall cause the proceeds of the bonds to be deposited in a separate account. The District shall annually cause to be prepared financial and performance audits
related to the expenditure of the bond proceeds to ensure funds have only been expended on the specific projects listed. The District shall also cause an annual report to be prepared by the District's Associate Superintendent, Business Services, containing a status report of all the authorized projects and containing the amount of funds collected and expended.

12. **Availability of State Funds**

Approval of the bond measure does not guarantee that the school facility projects proposed for construction will be funded beyond the local revenues generated by the measure. Certain of the Districts proposed projects assume the receipt of matching State funds, which could be subject to appropriation by the State Legislature or approval of a statewide bond measure. Reduction in state funds may result in a subsequent reduction in funding of projects provided for herein.

13. **Specifications of the Election Order**

The foregoing specifications of the election order are made pursuant to Section 5322 of the Education Code.

14. **Delivery of Specifications of the Election Order and Notice of Election**

The District Superintendent is hereby directed to deliver, not less than 112 days prior to the date set for the election, one certified copy of this resolution and order along with the Notice of Election to the Registrar of Voters of Sacramento County along with one certified copy of both to the Board of Supervisors of Sacramento County.

15. **General Authorization with Respect to the Bond Election**

The members of the Board, the Superintendent, and the other officers of the District are hereby authorized and directed, individually and collectively, to do any and all things and to execute, deliver, and perform any and all agreements and documents that they deem necessary or advisable in order to effectuate the purposes of this Resolution, including, without limitation, to prepare and submit for inclusion in the voter information pamphlet a tax rate statement and an argument in favor of passage of the ballot proposition. All actions heretofore taken by the officers and agents of the District that are in conformity with the purposes and intent of this Resolution are hereby ratified, confirmed, and approved in all respect.

APPROVED, PASSED, AND ADOPTED on June 25, 2002, by the San Juan Unified School District Board of Education